

REMARKS

Claims 12-14, 16 and 18-26 are pending in the application. Claim 17 was previously withdrawn. Claim 15 was previously canceled. Claims 12-14, 16 and 18-26 remain for consideration.

Claim Rejections – 35 USC §112

The Examiner rejects claims 12-14, 16 and 18-26 as being indefinite “for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention”. The Examiner further states that:

The phrase “composite polymeric membrane” (found throughout the claims) is indefinite because it is unclear as to whether or not it is related to the thin film. If they are related then it should be positively and clearly recited as such. It should be noted that the phrase “composite polymeric membrane” is not found in the instant specification. The term “free standing thin film” formed by layer-by-layer technique is supported by the instant specification.

Claim 12 is amended to positively and clearly recite that “composite polymeric membrane” is related to the thin film. The preamble of claim 12 now reads as follows:

A method for the assembly of a ~~thin film~~ composite polymeric membrane comprising the steps of:

The term “composite polymeric membrane” is supported in the specification at least

in the following passages: “Second, the substrate is separated from the assembled layers, leaving behind a free-standing thin film or *membrane* . . .”; (page 4, lines 17 and 18); “[*m*]embrane and the substrate . . .” (page 5, line 1); “[*m*]onolayers of . . . *polymers* . . .”(page 5, lines 17 and 18); [a]ssembly of a free-standing, ultra-thin *membrane* of mono- or multilayers . . .” (page 8, lines 1 and 2); “The second solution or dispersion of an electrostatically charged second substance comprises . . . *polymers* . . .” (page 9, lines 21,22);.

As can be seen above, “polymeric membrane” is supported in the specification. “Composite” is defined as, “a solid material which is composed of two or more substances having different physical characteristics and in which each substance retains its identity while contributing desirable properties to the whole.” (Merriam-Webster’s Collegiate Dictionary, Tenth Edition principal copyright 1993). Consequently, Applicant asserts that the term “composite polymeric membrane” as it is used in the claims is supported in the specification.

For the reasons set forth above and in the prior response to office action, Applicant requests allowance of pending claims 12-14, 16 and 18-26. Considering the foregoing, it is sincerely believed that this case is in condition for allowance, which is respectfully

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requested.

In addition, the undersigned would bring to the Examiner's attention that he spoke to the Examiner by telephone shortly after filing the March 7, 2005 Office Action. In that conversation, and at the request of Applicant, counsel requested an interview on this case, and the Examiner stated that he would phone counsel upon taking up the Office Action for review. Counsel believes that such a phone call would have resulted in clarification of the §112 issues and would have resulted in an opportunity for substantive examination of the claims. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, counsel requests that the Examiner contact the undersigned by telephone.

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This paper is intended to constitute a complete response to the outstanding Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve.

Respectfully submitted,

Date:

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